

**AN ORDINANCE AMENDING, RATIFYING, RECONFIRMING, AND  
READOPTING THE PLAN RELATING TO THE EXPANSION FOR THE  
CONVENTION CENTER COMPLEX; AND ENACTING OTHER  
PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND  
PURPOSE OF THIS ORDINANCE**

WHEREAS, the City of San Antonio, Texas (the "City") is authorized, pursuant to Chapter 351, as amended, Texas Tax Code, and other applicable laws, to issue obligations to finance and refinance the costs of expanding its Henry B. Gonzalez Convention Center (the "Convention Center"); and

WHEREAS, the City is an "eligible central municipality" as defined in Section 351.001(7), as amended, Texas Tax Code, and pursuant to Section 351.1065, as amended, Texas Tax Code, imposes a municipal hotel occupancy tax at the rate of 9%; and

WHEREAS, the City has previously adopted a Plan for the Expansion of the Henry B. Gonzalez Convention Center pursuant to an ordinance adopted on September 30, 1993, together with the Architectural Program and Master Plan developed by Kell Muñoz Wigodsky, Inc., Thompson, Ventulett, Stainback & Associates, Inc., Haywood Jordan McCowan SAT, Inc. originally dated February 17, 1995 as revised on March 15, 1995 and as subsequently amended by an ordinance adopted on September 4, 1997 (collectively, the "Plan") to set forth eligible projects designated as the "Expansion Project"; and

WHEREAS, the City Council has made the determination to modify and clarify the "Expansion Project" to include the expansion of the Convention Center facilities, renovation of existing Convention Center facilities, renovation of the Mexican Cultural Institute, expansion of the plant to provide chilled water to the Convention Center, constructing improvements to the City's Municipal Auditorium, construction of improvements to the Alamodome including site improvements, the construction of a hotel (within 1,000 feet of the Convention Center) primarily to serve the Convention Center facilities, and the acquisition of a building and site from the San Antonio Water System ("SAWS") to be utilized temporarily for City staff providing support for the Convention Center, until the facility is demolished and the Convention Center facilities are expanded to include this site; and

WHEREAS, the City Council hereby finds and determines that the pedestrian walkway and bridge, the existing easements, and existing rights-of-way will link the existing Convention Center site to the Alamodome and that such facilities should be included as part of the Convention Center complex and, therefore, included in the Plan; and

WHEREAS, the City Council hereby finds and determines that the location of the SAWS site and the existing utility easements and rights-of-way will link the Convention Center site to the SAWS site and that such facilities should be included as part of the Convention Center complex and, therefore, included in the Plan; and

WHEREAS, the City Council hereby finds and determines that the Alamodome, the contemplated hotel, and the SAWS site (upon renovation) directly enhance and promote tourism and the convention and hotel industry; and

WHEREAS, the Plan, as amended by this Ordinance, is available for review in the office of the City Clerk; and

WHEREAS, the adoption of this Ordinance is in the best interests of the residents of the City; now, therefore;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO THAT:

SECTION 1. The Plan for the expansion of the Convention Center complex is hereby amended, ratified, readopted, and reconfirmed to include the expansion of the Convention Center facilities, renovation of existing Convention Center facilities, renovation of the Mexican Cultural Institute, expansion of a plant to provide chilled water to the Convention Center, constructing improvements to the City's Municipal Auditorium, construction of improvements to the Alamodome including site improvements together with utility easements and rights-of-way and the pedestrian walkway and bridge together with easements and rights-of-way, the construction of a hotel (within 1,000 feet of the Convention Center) primarily to serve the Convention Center facilities, and the acquisition of a building from the San Antonio Water System to be utilized for City staff providing support for the Convention Center until this facility is demolished and the Convention Center facilities are expanded to include this site.

SECTION 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 3. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

SECTION 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

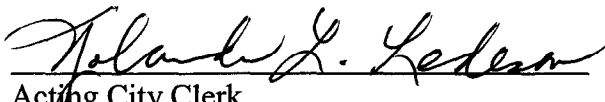
SECTION 7. The effective date of this Ordinance shall be governed by the provisions of Section 1-15 of the City's Code and the City's Home Rule Charter and this Ordinance shall become effective immediately upon its passage by eight affirmative votes, and it is so enacted.

PASSED AND ADOPTED by an affirmative vote of 10 members of the City Council of the City of San Antonio, Texas, this the 3rd day of June, 2004.

CITY OF SAN ANTONIO

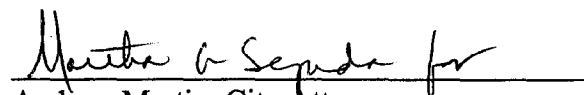
  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Acting City Clerk

**(CITY SEAL)**

I, the undersigned, City Attorney of the City of San Antonio, Texas, hereby certify that I read, passed upon, and approved as to form the foregoing Ordinance prior to its adoption and passage as aforesaid.

  
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Andrew Martin, City Attorney,  
City of San Antonio, Texas